

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

The undersigned, Chad W. McNiven, affiant being duly sworn state:

1. I, Chad W. McNiven, am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Billings, Montana Resident Agency. I have been a Special Agent for over 19 years having begun service on February 5, 2006. During this time, I have investigated numerous violations of Federal law, including offenses enumerated under Title 18 of the United States Code (U.S.C.). During the last 19 years, I have worked, been involved in and participated in cases involving terrorism, drug violations, white collar crime, violent crimes in Indian country, commercial sex trafficking cases and violent crimes against children. As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. During my career with the FBI, I have been an investigative case agent involving federal law violations including kidnapping, assault, sexual assault, child abuse, domestic violence, identify theft, visa fraud, computer intrusion, cryptocurrency, and cyberstalking. In the course of these investigations,

I have obtained and executed search warrants and arrest warrants, conducted surveillance, interviews, and employed consensually monitored confidential informants.

3. As a Special Agent of the FBI, I have had training and experience dealing with multiple criminal investigations involving national security, white collar crimes, public corruption and violent crimes. From these investigations, I have had training and experience dealing with multiple criminal investigations involving the use of investigative methods related to electronic, computer, and Internet-based crimes. I have participated in training related to electronic-based crimes and investigative techniques. I am familiar with and have participated in the normal methods of investigation, including but not limited to, the general questioning of witnesses and suspects, the review of phone and computer records, physical surveillance, and the detection and collection of evidence. I have participated in investigations involving electronic evidence, emails, text messages, and the Internet. In addition, I have assisted with or been the case agent in case related to federal jurisdiction on airplanes. As a new agent, I assisted with investigations related crimes on aircraft in 2007 and 2008 in Minneapolis, Minnesota. Since September of 2020, I have been assigned as the FBI Billings Airport Liaison agent and have handled various cases related to crimes aboard aircraft.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, other law enforcement agencies and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. On January 26, 2025, at 7:26 p.m. Eastern Time, John Doe, husband of Jane Doe, called the FBI National Threat Operations Center (NTOC) to report sexual assault aboard an aircraft during the flight from Bozeman, MT to Dallas, TX. John Doe provided that his wife, Jane Doe, was sexually assaulted while onboard an aircraft by an unknown subject sitting next to her. He reported that Jane Doe was onboard American Airlines flight 817 from Belgrade, MT to the Dallas-Ft. Worth International Airport (DFIA) in Dallas, TX, with a departure time of 2:10 P.M. Mountain Time. The flight arrived on time at DFIA at 6:17 P.M. Central Time. During the flight, Jane Doe had sent text messages to John Doe alerting him of the assault. John Doe called the DFIA police to have them investigate. John Doe also called the FBI NTOC line. Police at DFIA were at the gate upon arrival. Jane Doe spoke with DFIA investigators directly following the flight and reported to them that the man next to her had been touching her on the flight even when she told him to stop.

6. On January 28, 2025, I obtained the DFIA Airport Police report. The report listed the passenger as BHAVESHKUMAR DAHYABHAI SHUKLA as the one that touched Jane Doe.

7. The police report also provided the following: Jane Doe stated that Shukla touched her thighs, butt, and lower back area. When Jane Doe told Shukla to stop, he did. Jane Doe stated she proceeded to the restroom with her daughter. Upon returning from the restroom Jane Doe stated Shukla began to touch her inappropriately again in the same area on her body. Jane Doe stated she turned towards her daughter, who was seated in the seat next to the window, to try and shield what was happening and again told Shukla to stop touching her. Jane Doe stated Shukla also used his jacket to try and conceal what he was doing.

8. Another individual aboard the flight witnessed the incident and provided a statement to law enforcement. He informed law enforcement that he observed Shukla inappropriately touch Jane Doe.

9. Shukla was interviewed when he landed in Dallas. He denied touching Jane Doe and claimed not to speak English.

10. Jane Doe was interviewed by the FBI on February 13, 2025. She reported that during the American Flight 817 from Bozeman to Dallas on January 26, 2025, she was sexually assaulted. She related that after the flight attendants came by and finished their first round, the inappropriate behavior began. She

described how Shukla, who conversed with her and her daughter in English before taking off, later touched her on, among other locations on her body, her hip and butt. Jane Doe described how, after going to the bathroom in an attempt to diffuse the situation, Shukla continued to rub her, including on her thigh, hip and vagina. Jane Doe indicated that she was scared of him.

11. I believe the above information sets forth probable cause to believe that Bhaveshkumar Dahyabhai Shukla committed the offense of Abusive Sexual Contact, in violation of 18 U.S.C. § 2244(b), in conjunction with Application of Certain Criminal Laws to Acts on Aircraft, in violation of 49 U.S.C. § 46506(1).



Chad W. McNiven, Affiant
Special Agent, FBI

Sworn to before me, by telephone, and signed by me pursuant to Federal Rule of Criminal Procedure 4.1 and 4(d) on the 11th day of March 2025.

/s/ KATHLEEN L. DeSoto
Hon. Kathleen L. DeSoto
United States Magistrate Judge

